

THE ACOUSTICAL EVIDENCE: CAN WE BELIEVE IT? by Jeffrey P. Hoyle

After fifteen years, an official government body has finally admitted there was a conspiracy in the murder of President Kennedy. They conclude this, not on the basis of the obvious medical or ballistics evidence -- but rather on the last-minute acoustical analysis of a fifteen-year-old Dictabelt recording of the Dallas Police's communications.

On this analysis the HSCA concluded JFK was "probably assassinated as a result of a conspiracy", and recommended that the Department of Justice "review the committee finding... analyze whether further official investigation is warranted."

Although not satisfied that the HSCA had been completely open and honest, I did feel the acknowledgement of a conspiracy was a small step in the right direction. Then fellow researcher J.W. Burke pointed out that the Department of Justice could now bring in their own "experts" to contradict the HSCA's panel and thus boot the "probable conspiracy" out the window. Building a case on this one piece of evidence, when such obvious evidence as the single-bullet myth exists, does seem a rather poorly constructed case. A closer look is in order.

To my knowledge, the first analysis of the police recording was conducted by Gary Mack, Program Director of KFJZ-FM in Fort Worth, Texas. (See The Continuing Inquiry, 8/22/77.) Dallas Police radio communications were constantly recorded on Dictabelts. Some of the belts were used by the FBI and the Secret Service to provide the Warren Commission with transcripts of the police communications. The Dictabelts were later transferred to recording tape. Working through two electronic firms, Mack had the motorcycle noise electronically filtered out, and he concluded a seven-shot sequence could be heard.

The HSCA is reported to have received a copy of the police tape through researcher Mary Ferrell. This copy proved to be of poor quality. The original was then obtained from retired Dallas assistant police chief, Paul McCaghren, and forwarded to HSCA's acoustical consultants Bolt, Beranek and Newman (BB & N hereafter). The Cambridge, Massachusetts firm found evidence "That four -- and possibly five -- shots were fired" (Providence Journal, 8/21/78) and the HSCA requested funds for additional testing.

With numerous microphones positioned, police sharpshooters fired from the alleged "assassin's nest" and the grassy knoll, using a rifle and a .38 caliber Smith and Wesson pistol. Dr. James Barger, chief scientist for BB & N, testified on September 11 on the results of those tests. He reported that four gun-like sounds occur, and that there was a 50-50 possibility that shot three came from the grassy knoll. The committee found this inconclusive as evidence of conspiracy but, at BB & N's request, contacted Prof. Mark Weiss and Prof. Ernest Aschkenasy of Queen's College in New York to conduct further tests on shot #3.

Prior to the Weiss-Aschkenasy testimony, an unsolicited analysis was performed by Anthony Pellicano of Voice Analysis and Interpretation (Chicago). Pellicano concluded (1) impulses on the tape were not gun shots and (2) the motorcycle was not in Dealey Plaza, but two miles away at Stemmons Freeway and Industrial Boulevard. According to Pellicano "The most conclusive evidence was the sound of the

See GALLERY, April 1978.



Dimiter Adamov Dimitrov  
alias  
U. S. Army General Donald A. Donaldson

# A Life Turned Upside Down

By Joseph D. Whitaker  
Washington Post Staff Writer

At age 2, James Philip Kostman could assemble 300-piece jigsaw puzzles.

At 7, he was an accomplished pianist, playing the works of Bach and Beethoven.

At 17, he graduated first in his high school class. Then it was Princeton, Oxford on a coveted Fulbright fellowship, and Stanford for a doctorate in ancient Greek philosophy. In 1974, he was appointed assistant professor of philosophy at Massachusetts Institute of Technology.

And late last month, at age 31, Kostman was standing unwashed, bleary-eyed and bedraggled before a D.C. Superior Court judge, facing attempted burglary and unlawful entry charges for the second time in a week.

Just what turned Kostman's life upside down? He said it was pressure to do well, his own inability to cope with life, and the disillusionment he felt when his extraordinary achievements did not make him socially and financially secure.

As he sat on the steps of a shelter for homeless men the other day, eating a Big Mac, Kostman said he always felt pressure as a child "to perform well in school, get good grades, and enter a good profession."

Kostman said he initially had mixed feelings about becoming a university professor. But gradually he became committed to the idea.

"Back in the late 1960s there was the promise of a solid career for people who went into teaching [at the university level]," Kostman said. "And there were a lot of reasons for optimism." But Kostman said shifts in the national economy and a declining demand for scholars with doctoral degrees made him wonder about his future.

"It became clear to me when I was finishing my PhD at Stanford in 1974 that after all those years of preparation, I might not be able to find a decent job," Kostman said. "For a while I was really scared. Then I lucked out and got an offer to teach at MIT."

When he arrived, Kostman said he found himself surrounded by professors who, like himself, were "young, bright and highly motivated."

"There were a lot of professors in that philosophy department my same age and with similar credentials," Kostman said. When the linguistics and philosophy departments merged in 1977, Kostman said he felt some faculty members—including himself—might be fired.

"It was a situation where I didn't have tenure and it began to look as though I might never be a tenured professor at MIT," he said.

"I used to tell my graduate students that they could well be wasting their time," Kostman said. "They were going deeper and deeper into debt preparing for a job that might not be there. Meanwhile, their families often lived very meager existences."

After teaching three years at MIT, Kostman requested a year's leave of absence to accept a \$10,000 teaching fellowship at the University of California at Berkeley and the University of Michigan. He said he needed time to think about his future.

Sylvain Bromberger, chairman of the philosophy division of the MIT department of linguistics and philosophy, said Kostman was regarded as "exceptionally qualified" in his field and was considered a gifted teacher of philosophy.

"Of course Jim didn't have tenure and I suppose people in that position go through a great deal of anxiety," Bromberger said. "But Jim didn't

have to worry about his job. When he went on leave his contract had been renewed for three more years and we expected him back."

"Ironically, nobody was fired because of the philosophy department merger," Bromberger said. "Most of the people who came when Jim was here are still here."

During his first year at MIT, Kostman said he was divorced from his wife, Stephanie. They had met while he was at Princeton and she was a student at Sarah Lawrence College. They married during the second year of his Fulbright Fellowship, but later found they were incompatible in many ways, Kostman said.

"By my third year at MIT, I had discovered that although I was extremely well prepared to teach the works of Aristotle and Plato, I did not enjoy what I was doing," Kostman said. "I wanted to do something that was fun."

By the summer of 1977, at the conclusion of his teaching fellowship, Kostman said he decided to chuck his teaching career and to pursue an in-



By Douglas Chevalier—The Washington Post

Kostman sits on steps of a shelter for homeless men in Northwest Washington.

# Scholar With a Brilliant Future Drifts Into Poverty, Jail

terest in researching the assassination of President John F. Kennedy.

"I'd worked occasionally with the Assassination Information Bureau in Cambridge while I was at MIT," he said. "When the organization opened a Washington office in mid-1977, I moved to Washington and became their director of research."

Kostman said he was not paid for his work with the bureau, a nonprofit research group that studies domestic assassinations and has an office at 1322 18th St. NW.

"We (the group) lived on a shoe-string budget. We lived in a house where the organization paid the rent," Kostman said. "I subsisted mostly on coffee. It was not a comfortable lifestyle. But for the first time I was doing something I wanted to do. It was interesting and it was fun."

Jeff Goldberg, co-director of the bureau, described Kostman as "a very bright guy" who primarily spent his time researching various aspects of the Kennedy assassinations.

According to Goldberg, Kostman began to wrestle with emotional problems last fall and could no longer function "at top form" as the group's researcher. Goldberg said Kostman "dropped out of sight" at the end of last year, but emerged again several weeks before he was arrested.

Kostman said he left the bureau last October after he and other members of the group could not agree on the future role of the organization or how to improve its financial outlook.

In late December, Kostman showed up at the home of his parents in suburban Philadelphia suffering from depression and anxiety, according to his father, Arthur Kostman, 60, who is a partner in a firm of certified public accountants.

James Kostman, the oldest of three Kostman sons, was admitted to the Philadelphia Psychiatric Center, where he was treated five days for anxiety and released on an outpatient basis, according to his father.

Perhaps the most distressing episodes in Kostman's life came when he returned to Washington in mid-February. He checked into the Christian Inn, a \$16-a-night hotel at 1509 16th St. NW, and said he spent his days "wandering around the streets of Washington."

"Washington is a beautiful city in the spring," Kostman said. "I wanted to be here to see the cherry blossoms."

On March 13, Kostman was asked to move out of the hotel because his room had been reserved by another customer, said Dorothy Walker, a desk clerk.

At 5:15 the next morning, Kostman was arrested and charged with unlawful entry after he climbed a ladder to get into a vacant second-floor apartment at 1815 18th St. NW.

A week later, at 1 a.m., Kostman was arrested again and charged with attempted second-degree burglary. Kostman said he was simply "sitting on the steps" in front of a residence at 1837 Swann St. NW.

But according to a police report, Third District police officer Joseph Vanderboemen saw Kostman at 12:45 a.m. going from door to door along Swann Street, looking through windows and testing doors of homes in the area. Vanderboemen followed Kostman and arrested him after Kostman ripped through a screen door and attempted to open the wooden door behind it, according to the report.

(Under the D.C. Code, a charge of attempted second-degree burglary can be brought when a person is suspected of attempting to enter or break into a building usually not used for sleeping with the intent of taking items away from the building. The offense is a misdemeanor with a maximum penalty of either one year in jail, a \$1,000 fine or both.)

After the first arrest, Kostman was held at the D. C. jail for seven days because he had no fixed address. His attorney, James Hipskind, could not find anyone willing to take custody of Kostman until his case came to trial.

Arthur Kostman said he, his wife, Pearl, and youngest son, Jay, a chemistry student at Cornell University, drove to Washington on March 19 and spent 12 hours searching for his son.

"We checked all of the shelters for the homeless, the hospitals, the morgue, and police put out a missing person bulletin," said Arthur Kostman. "But we never thought to check the jail." Arthur Kostman also hired a private detective, Ken Smith, to help

look for his son.

On Wednesday afternoon, March 21, Judge Joseph M. Hannon released Kostman into the custody of the Bureau of Rehabilitation, a pretrial supervisory services organization. Under the arrangement with the court, Kostman was to live at the city's shelters for the homeless until his case came to trial.

Early the next morning, Kostman was arrested the second time. This time Judge Alfred Burka placed Kostman in the custody of his parents, who had returned to the city to help their son. Burka ordered Kostman not be seen on the streets of Washington again, except in the presence of his parents.

Government prosecutors agreed to drop both cases against Kostman if he returns to Philadelphia and receives psychiatric care for the next six months.

"I love my son," said Arthur Kostman. "Everything we've tried to do for him has been because of that. We recognized when he was very young that Jim had superior intellectual capabilities and we wanted to see his potential developed."

"I've never seen Jim as an Einstein or a genius," Kostman said. "Our only hope was that he find happiness in life."

"I have two other sons and we felt the same way about them," Kostman continued. "All I've ever wanted is that my sons find some sense of fulfillment, however each one chose to do it."

When he was released from jail, wearing scuffed cowboy boots, purple jeans and with a week's growth of beard, Jim Kostman said, "I don't see all that has happened as a complete tragedy. But life is a continuing pattern of growth and development and I see this as another phase of that pattern."

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'FULL PURSUIT': SOME (IM)PERTINENT QUESTIONS FOR PROF. BLAKEY by R.B. Cutler

On January 25, 1979, the Cornell University Law School Alumni were treated to a preview of that part of the House Select Committee on Assassinations' final report which deals with who killed JFK. In fine professorial style, G. Robert Blakey, HSCA's Chief Counsel, told of his 18-month administration which looked "not to people but to science and files" to find out what happened in Dealey Plaza.

The audience was apprised of the official version of the assassination: three shots fired by one man from one window in the Texas School Book Depository Building. "Science and files" disrupted this neat solution by uncovering a fourth, actually the third of four shots, fired not from the "assassin's window" but from the grassy knoll ahead of the limousine. Unable to identify the rifleman or tell why he was behind the stockade fence, Blakey could only say that the second assassin's bullet did not wound anyone. Counsel's exposition of his four-shot scenario invites responsible criticism.

A minimum of detailed examination soon makes it apparent that the conspiracy Blakey uncovered in Dealey Plaza permeates the very exhibits accepted in evidence before the Committee. In contradiction to his assumption that Mr. Justice Holmes "really meant.... all the facts", when Counsel fits his theory to the facts he is guilty of omitting a host of the most pertinent. Analysis of but a few of them propels his four-shot theory onto the nether side of reason.

Shot #1: the first miss

Blakey's 7.9 seconds for the total time between the first and last shot places the first at Z-160. He tells his audience that this shot missed; he does not tell his audience that this miss wounded a bystander standing between Main and Commerce Streets, near the Triple Underpass. Figure 1's exposition of "all the facts" uncovers conspiracy without even trying.

"Oswald's" shot, twenty yards wide of the mark is totally incompatible with the Warren Commission/HSCA image of a two-bullseyes-out-of-three marksman; this miss is not the Lone Assassin's. It was an intentional miss and intentional means another shooter and another shooter means conspiracy. Someone fired the Carcano to produce the hard-evidence "hulls" for the Dallas Police to find and use as vital parts of the framing of Oswald, the JFK conspiracy patsy.

Shot #2: CE 399

BLAKEY: *"The second shot did, as the Warren Commission suggested, hit the President in the back of the neck, exit his throat, go into John Connally's back, exit his chest, hit his wrist and then hit his thigh. The same bullet inflicted both wounds."*

(Sir, may I interrupt? There is a total of seven separate and distinct wounds allegedly inflicted by this bullet. Your use of "both wounds" to describe the result of this incredible performance is conspicuously on the side of coverup.)

BLAKEY: *"This is the so-called 'single-bullet' theory. The Warren Commission suggested this."*

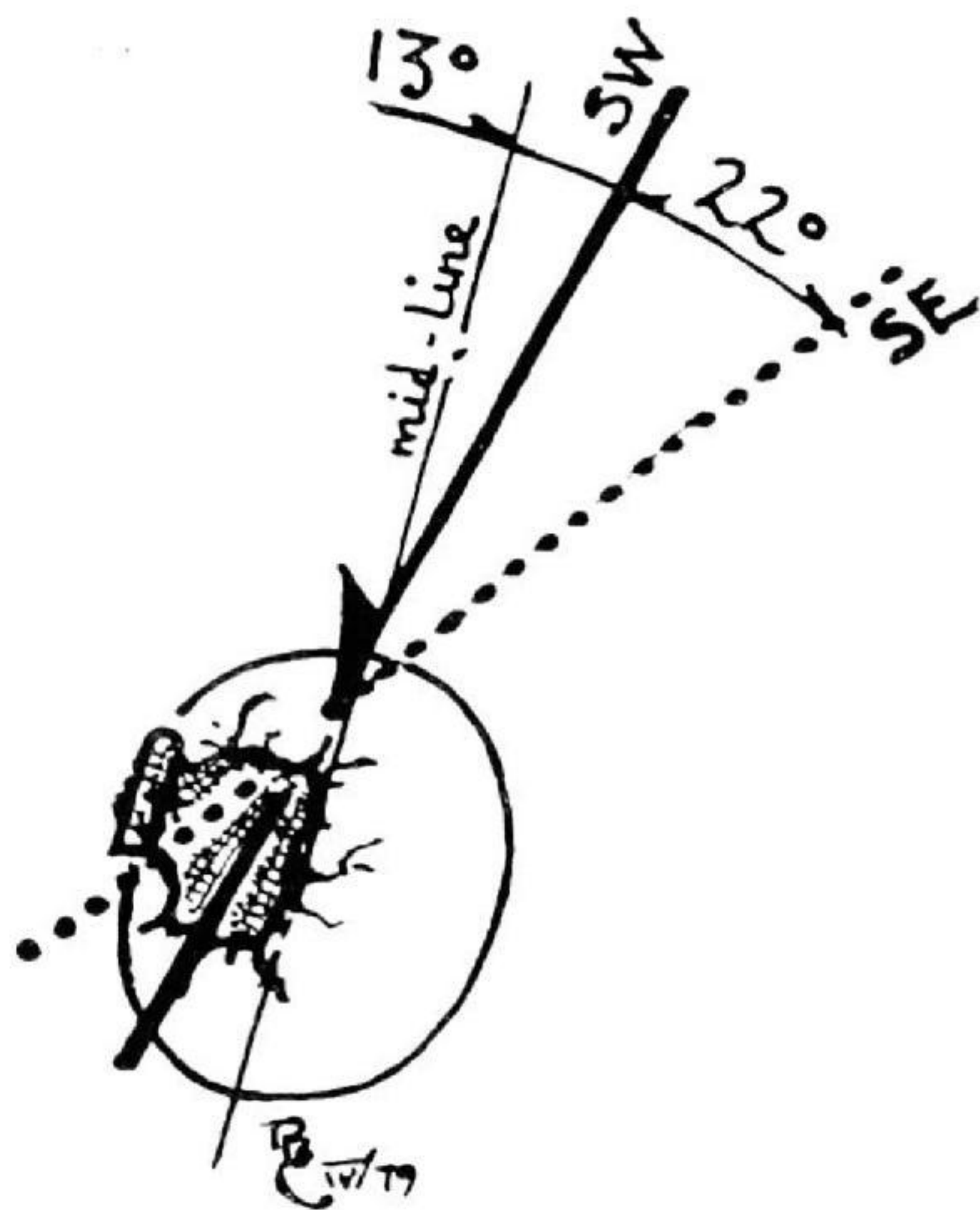


Figure 4

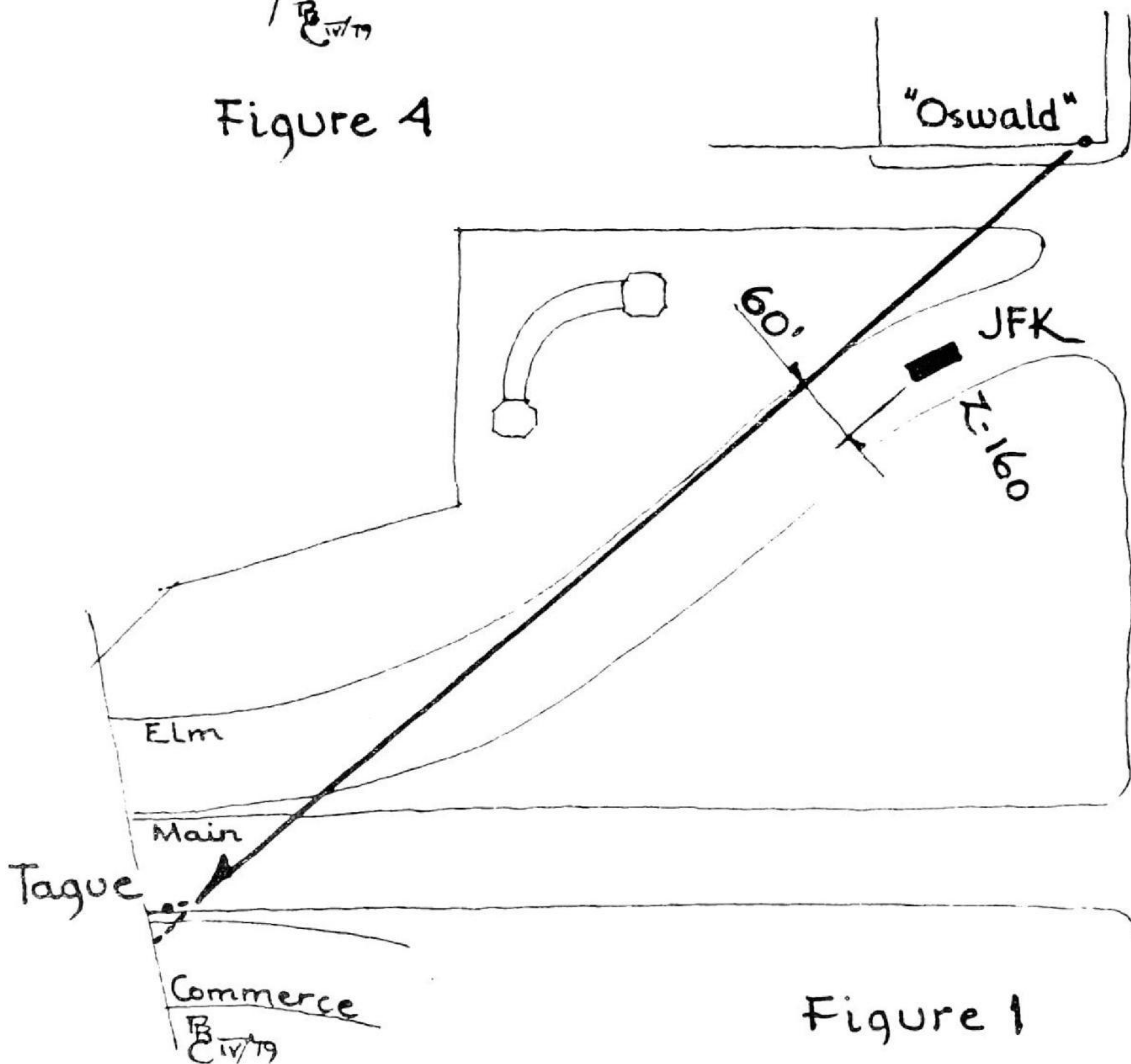


Figure 1

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(Sir, may I? Lacking this imaginative, terpsichorean fantasy of a bullet bouncing in and out of two disassociated bodies the Warren Commission has no report. Your use of "suggested" is grossly protective.)

BLAKEY: *"If there is anything that flows from the Select Committee's work it is that the reality of the 'single-bullet' theory has been established beyond all reasonable doubt on the following grounds:"*

(Sir, may I again interrupt? Hackneyed, legal-sounding cliches by after-dinner speakers will never make a silk purse out this sow's ear. In the first place, the wounds are not in alignment and secondly, bullet CE 399's chain of custody commences at midnight after the assassination on the Washington, D.C. doorstep of the Federal Bureau of Investigation, and ends a few minutes later in one of its laboratory safes. There is no bullet in your tenderly nurtured 'single-bullet' theory and the theory cannot exist outside of the wonderful land of Oz.)

BLAKEY: *"You can align Governor Connally and the President up using sophisticated techniques of interpreting the film. We located exactly where they were, I mean literally, to the centimeter in Dealey Plaza. We located the bodies."*

(Sir, may I? You can align the Governor and the President up if your sophisticated techniques ignore the photographic evidence of the Zapruder film. Your experts lined the bodies up using a photo taken at Z-186 and then diagrammed this alignment on a drawing locating them at Z-198. If you can multiply 130.2, the inches between Z-186 and Z-198, by 2.54, the centimeters in one inch, you will have the measure of where you located the bodies in Dealey Plaza, "literally, to the centimeter."

Figure 2 shows the two men in the limousine at Z-198. The Zapruder sight-line, at 28 degrees to the car's center-line, intersects the Governor's tie and places him properly on his jump-seat. The sophisticated-technique, half-off-his-fanny contortion, drawn dashed, shows the 'single-bullet' theory trying to fit a medical fact: the Governor was hit under his right arm pit. In his proper position, had a bullet been able to avoid the President's spine and actually traverse the neck undeflected, the straight-line flightpath between the two men hits close to the Governor's left arm-pit. To reach the correct, rightside wound, CE 399 must follow the twisted flightpath, graphic refutation of the 'single-bullet- theory these past ten years and more. Counsel, your cherished resurrection of Arlen Specter's fabrication reeks of continuing the coverup of the President's murder!)

BLAKEY: *"Using the forensic pathologists, we located where on the bodies the wounds were."*

(Sir, may I compliment you? Truer words were never spoken. The world is forever indebted to Cyril Wecht, the one forensic pathologist with the integrity to refuse to be used by you. Thanks to him, Figure 3 gives the reader an inkling of how it was possible to conjure up an 8 to 1 vote in favor of the 'single-bullet' theory. [If the reader perceives this inkling, please drop me a line] I cannot understand how eight grown men can believe that a bullet can change course on entry, from 23° downward through air to 8° upward through a body, change again at exit to 30° downward to nick a necktie and then take 1.8 seconds to traverse a scant yard of more air, before entering a second body at 22° downward.

The 'single-bullet' theory is the best vehicle for consistently hiding the incapable fact that the President's throat wound is a wound of entry. This Rosetta

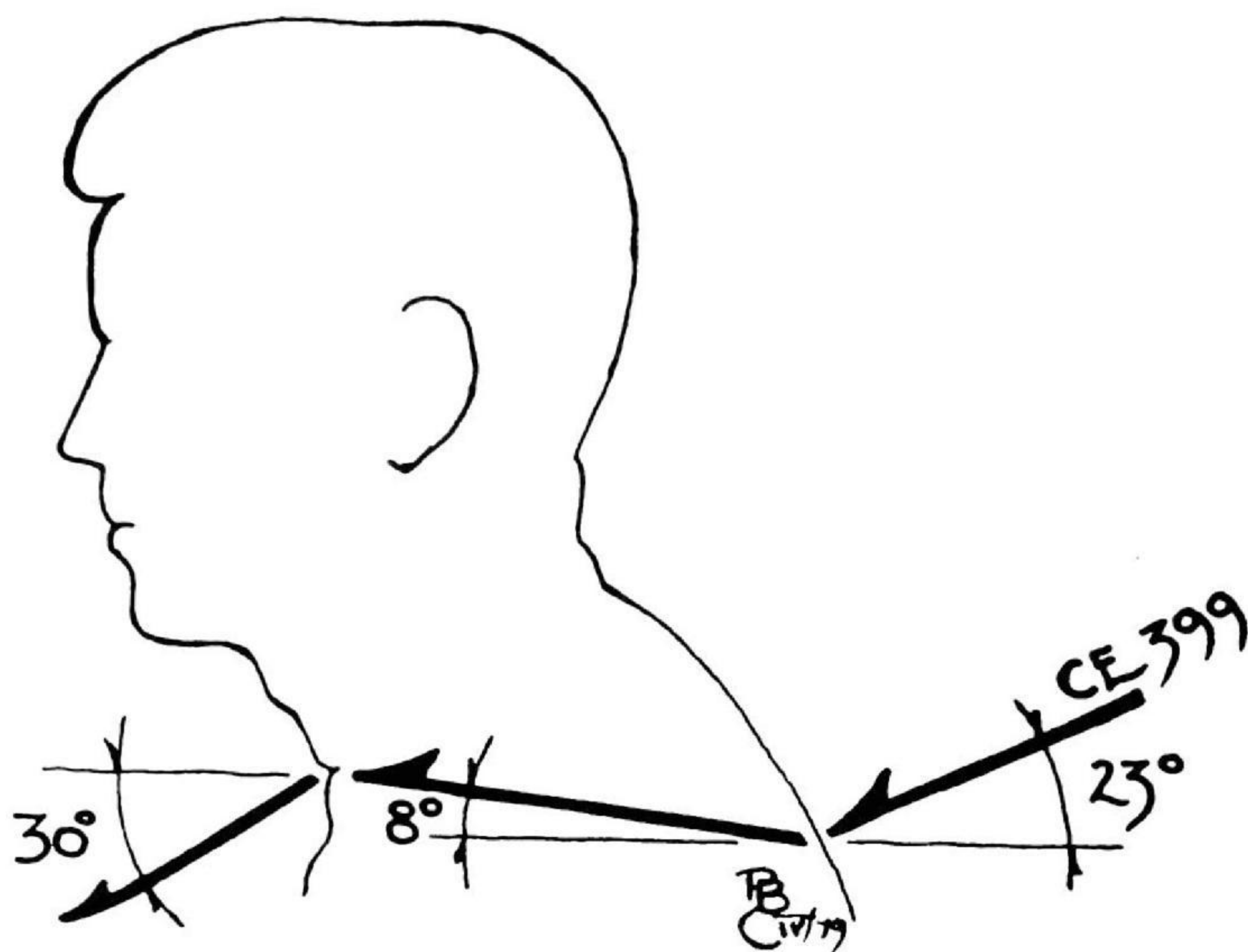


Figure 3

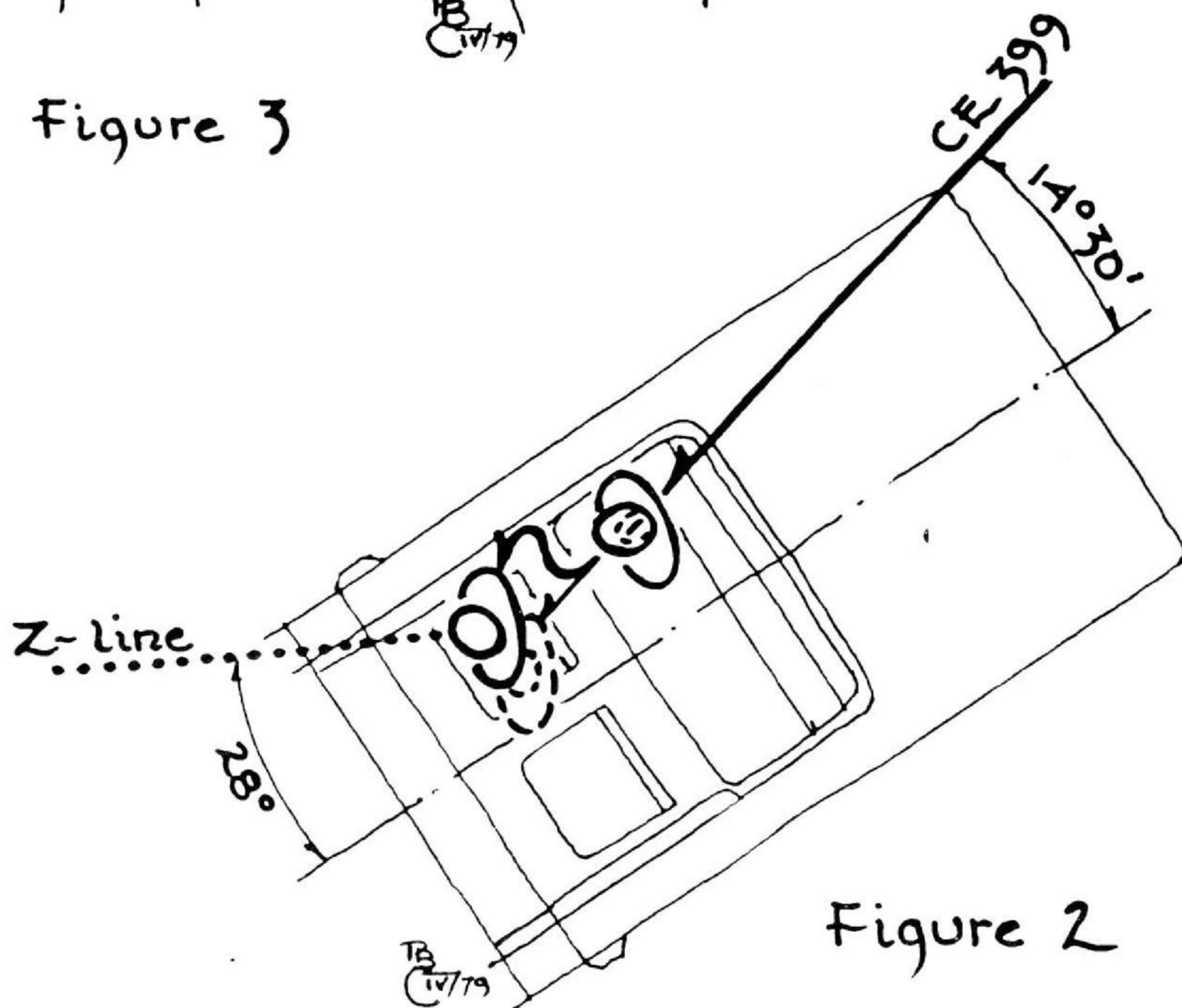
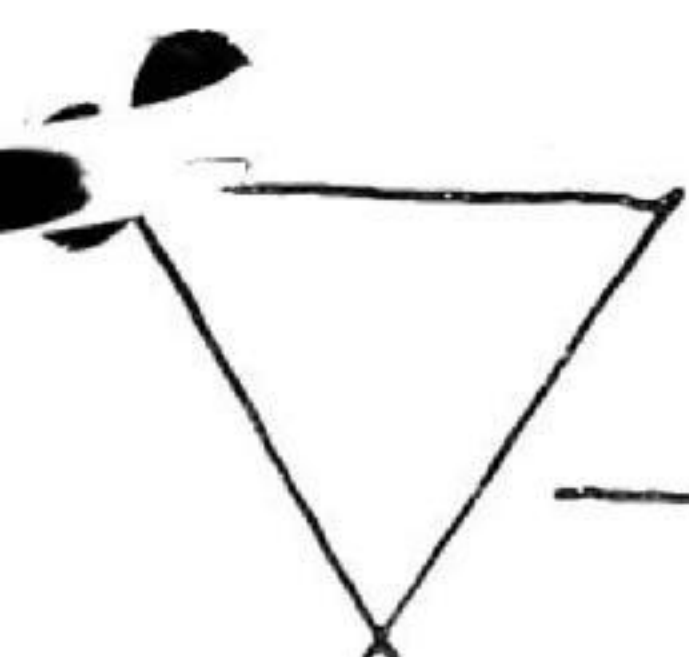


Figure 2



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Stone of the mystery "Who Killed JFK?", the most devastating evidence of conspiracy, will not go away no matter how deep the 'single-bullet' theory is piled on the front pages and TV screens of the terrified media.)

Shot #3: the second miss

Blakey takes more than half his speech to explain the ins and outs of how and why this shot was a surprise to both him and the HSCA. As he tells it, motorcycle policeman H.B. McLain was travelling 120 feet behind the presidential limousine, his microphone inadvertently open. This is the open mike which caused the shots in Dealey Plaza to be recorded on a police headquarters tape, and it was the unwanted intrusion of scientific fact which insisted on the Committee's "probable conspiracy" finding.

When McLain testified before the Committee, and TV, on December 29, Blakey and his staff knew it was not McLain's mike that had reported the shots. Blakey and his staff were informed by researcher R.E. Sprague that he had found McLain on the Couch and Weigman films, not 120 feet behind the limousine, but crossing in front of a motorcade camera car just before he passes the spot on Elm St. where the third of these four shots was recorded. Other photos showed McLain turning off Main St. onto Houston, 240 feet behind the President's car as it was turning off Houston onto Elm. Simple plotting proved that McLain arrived 15.5 seconds too late for his mike, were it open, to pick up this third shot, half a second ahead of the fourth. Further research has shown that the open mike was that of left-inside flanker Hargis.

BLAKEY: *"The bullet that was fired from the grassy knoll did not hit the President. The medical evidence is unequivocal. There is no evidence of any bullet hitting the President from the front".*

(Sir, may I please? If that bullet did not hit the President, where did it go? May I suggest that this shot was a diversion, specifically designed to attract spectators towards the grassy knoll, while the assassins descended from their upper-floor lairs and escaped in the opposite direction. There is photographic evidence of a bullet being picked up in the grass across Elm from the stockade fence.)

Shot #4: the head shot

Blakey attributes this to Oswald. Figure 4 shows the horizontal angular difference between a bullet's flightpath, dotted, from "Oswald's Window", the sixth-floor's southeasternmost, and a flightpath, solid, from the southwesternmost window on the same floor. Until the missing brain is examined by responsible authority, the 22-degree differential measures the argument over final determination of this shot's origin. Casual inspection indicates that the track through the wound of exit does not coincide as well with the dotted as with the solid flightpath. On the reasonable assumption that the brain was sectioned, the dotted flightpath may have been found to be outside the acceptable limits of scientific proof. This could explain why the data, the track and the brain were not in evidence before the Committee.

BLAKEY: *"We can't re-write history... the next time this happens.... I hope indeed people will have the courage and integrity to stand up and say 'I will pursue this as far as I can...'".*

(Counsel? Your 18-month investigation makes re-writing history absolutely mandatory; what prevented your full pursuit?)

\* \* \* \* \*

# The Rights of Cetaceans Under Human Laws

By John C. Lilly, M.D.

The rights of man have slowly developed over the last few centuries. The rights that each of us enjoys today in the United States have been carefully developed in our laws. Our past history teaches us that our rights evolved through certain stages, from the unconscious acceptance of a lack of rights, to the conscious awareness of the need for an adequate expression of an intolerable situation or state, to the demand for the relief articulated in law, to the law and its adequate administration. As each group of humans, through its own experience, learned to feel its lack of sharing in the benefits of laws and their administration, each developed adequate spokesmen or spokeswomen for its cause. These individuals were either inside or outside the group needing relief.

Professor Christopher D. Stone, in *Should Trees Have Standing*, has given an excellent review of the origins of these laws for human rights and shows the extension of the legal concepts to include fictitious individuals. In these laws, the concept of an individual with legal rights is extended to corporations, cities, states and nations. Professor Stone espouses extending the concept of an individual with legal rights to the environment including animals. In such cases, individual humans and groups must become the legal guardians or protagonists for the environment and the animals. Since trees, for example, cannot speak in human language, persons must express the need of trees for rights under human law.

What is the need for relief of an intolerable situation for the cetaceans? Should cetaceans be given individual rights under human laws? Are there, as yet, enough informed, consciously aware humans to express the needs of cetaceans, articulate them in legal terms, formulate the laws and assure their passage in the legislature and courts? Is the nature of cetaceans such that they warrant special laws?

The plight of the large whales is extensively documented by the International Whaling Commission and several interested biologists, such as Roger Payne,

Victor Schaefer and Scott McVay. The extinction of several species, including the largest animal the earth has ever housed, the blue whale, has apparently already occurred. The whaling industry kills a whale every fifteen minutes of every day. The survival of the entire species and genera is threatened. "Specicide" is a word to add to our laws.

Dolphins, including the largest one *Orcinus orca*, the so-called "killer whale" (a very curious name for this highly sensitive species. In the last century the term was "whale killer." Their record is clean: no orca has been recorded as ever having attacked a human who had not provoked attack), also have an intolerable situation needing relief. In Japan the dolphins are killed for human use and food. In numerous countries around the world they are captured for human entertainment and kept in confined quarters, restricted beyond their natural limits, and forced to do repetitious circus performances of a peculiarly banal nature. They are cut off from communication with their relatives and friends in the sea. Many die prematurely during capture and from the confinement.

Large numbers of people have recently become aware of the whales' situation and are asking for cetacean relief under our laws. Recently the Greenpeace Foundation obtained a ruling from the Canadian Government prohibiting further capture of *Orcinus orca* in the waters of Canada. Their collected data on the deaths of these creatures during capture, transport and confinement apparently were the deciding factors.

Are cetaceans something more than animals whose survival is in jeopardy through human actions unrestrained by law? Is their nature such that we should seek more vigorous legal action to preserve their way of life, their territory? Are they in any sense special groups needing special attention from us?

Let us state the question in scientific and humanistic terms. What is the probability that cetaceans are sentient, intelligent, creatures?

Consider their brains and our brains. How are we, in the structure of our brains, different from our nearest cousins, the apes (chimpanzee, gorilla and orangutan)? The result of careful neuroanatomical and extensive neurophysiological studies reveal that our brain's only decisive difference from the apes' is in the size of our cerebral cortical "silent" areas in the frontal, parietal and temporal lobes. Silent areas have no direct-input connections and thus are devoted to central processing (thinking, imagination, long-term goals, ethics, etc.). Without such areas, a person is no longer a human as each of us conceives of being human. Persons in whom these areas are lost become here-and-now beings, with a good deal of their essential humanness gone. They lose their moral and ethical judgments and their motivations for future planning and action. These cortical areas are the ones we use for understanding justice, compassion and the need for social interdependence. If we could control the growth of these cortical areas in our species, we could possibly evolve further beyond our present horizons. Apparently, we are limited by this aspect of our brain's structure. This may make us pause when we consider the brains of *Cetacea*.

Recent, excellent, controlled neurological studies of cetacean brains by Morgane, Yakolev, Jacobs and several Russian scientists show that the silent areas are larger in the cetaceans whose brains are bigger than ours. In the bottlenose dolphin, with a brain forty percent larger than ours, in *Orcinus orca*, with a brain three to four times the mass of ours and in the sperm whale, whose brain is the largest on this planet (six times the mass of a human brain), all of the additional mass is in the silent areas.

The size of these cetacean brains has been known for many years. Only recently has microscopic analysis shown that their cellular densities and connections are quite as large and complex as ours.

The belief that man is the preeminent thinker, doer, feeler on this planet interferes with these investigations. As fast as evidence of the superior nature of ce-

tacean brains accumulated, rationalizations were devised (even by neurologists) to place these brains in a category below man's. Two main arguments have been used against acceptance of the probability of brains superior to man's.

The first rationalization is that of body size, or weight, versus brain size, or weight. This argument holds that a large body needs a large brain to control its behavior. In the light of the findings on cetacean brains, this argument is not relevant. The body is controlled by portions of the brain outside the silent areas. Moreover, the size of these outside areas is not proportional to the size of the individual animal. In our own case the sensory and motor areas of the cortex are no larger than those of the chimpanzee or the gorilla. In the case of sea creatures, the whale shark (not a mammal), with a body weight of forty tons, has a brain mass of 100 grams, less than that of a macaque monkey. A forty-ton sperm whale has a brain mass of 9,000 grams, six times ours.

The second argument for the preeminence of man over larger brained cetaceans points to the human accomplishments of using hands, planning structures and building them. Cetaceans have no hands and therefore had no need to develop intelligence.

This argument is derived from man's own narcissistic need to see the use of intelligence and sentience only in areas most men have entered. May there not be domains only a few men have penetrated in which whales may be superior? May not their philosophies and traditions be more complex, more full of insight than ours? Cut off from the need for building, for external forms of transport, for food preservation and preparation, they probably have very advanced ethics and laws, developed over millennia and passed on, through sonic communication, to their young. Their memories are probably much greater than ours. Like those among us with no written language (the Masai, for example), they probably have long histories which they recount to their young, who must memorize them in detail.

Who are to specify the criteria for intelligence among large-brained mammals of the sea? We have no direct experience of living in the sea. We venture timidly into water protected by artificial means. Let us try to find out from the *Cetacea* their criteria for intelligent use of large brains, rather than attempting to impose our criteria upon them.

What behavioral evidence do we have of ethics among *Cetacea*? The main evidence is derived from our encounters with them, and some from our observations of their interactions with one another. In the books *Man and Dolphin*, *The Mind of the Dolphin (a non-human intelligence)*, and *Lilly on Dolphins: the Humans of the Sea*, are many examples of intelligent and compassionate actions between us and them, and between individual dolphins. I shall not repeat those accounts here, for I could not do them justice in this brief article.

However, the main points made in these books are as follows:

(1) The brains of cetaceans are superior to ours in unique and effective areas.

(2) The behavior of *Cetacea* in captivity is regulated by a cetacean education and a cetacean ethic in which man is carefully treated as a special case. Man is not to be injured by an individual cetacean even under extreme degrees of provocation. Even "cruel and unusual punishment" shall not be responded to with violent destructive action on the bodies of humans. Throughout their capture and during their performances, men and women are in direct contact with them, and none have been injured by these huge creatures.

(3) Dolphins treat their own individuals with total knowledge of the necessities for survival of the group. Individuals will commit suicide if their incapacity becomes great enough to endanger the group. Any sick or grieving dolphin is cared for by the group; but if the care interferes with group survival, the individual voluntarily stops breathing and thus commits suicide.

(4) Dolphin sonic-ultrasonic communication is more complex than ours, ten times as fast, at ten times the frequency.

It is highly probable that their minds operate with acoustic analogs, even as our language is primarily based on visual analogs. They "see" their environment and one another with sound. Their sonar "sees" into both our bodies and their own. They can see emotional states in one another through stomach and lung movements. They become acquainted with, and subsequently recognize, one another and humans in the water with them, through the transmission of sonic pictures.

Each dolphin has three independently controlled sonic-ultrasonic emitters (two nasal and one laryngeal). Two dolphins exchanging information may use all three separate channels at once.

(5) Dolphins are interested enough in communicating with us for them to exert surprising efforts to reprogram their outputs to solve communication tasks imposed by us.

(6) It is probably that sufficiently fast computers could enable man to communicate with dolphins and whales.

Such considerations inevitably lead us to the conclusion that *Cetacea* are a special case. We must give them rights as individuals under our laws. The following guidelines for new laws are suggested:

(1) Cetaceans are no longer to be considered as property, nor as an industrial resource, nor as stocks of animals.

(2) Cetaceans are to have complete freedom of the waters of the earth.

(3) Individual dolphins and whales are to be given the legal rights of human individuals. Human individuals and groups are to be given the right to sue in behalf of, or otherwise represent in court, cetacean individuals placed in jeopardy by other humans.

(4) Research into communication with cetaceans is no longer simply a scientific pursuit: such research is now a necessity for people to exchange information at a high level of complexity with cetaceans. We must learn their needs, their ethics, their philosophy, to find out who we are on this planet, in this galaxy. The extraterrestrials are here — in the sea. We can, with dedicated efforts, communicate with them. If and when we break the communication barrier, then we and the cetaceans can work out our differences and our correspondences.

We may already have accumulated too negative a reputation among cetaceans. Let us at least stop killing and enslaving them for our entertainment and our warfare. This we can do now. The communication problem will take longer and requires much research.

In the Human/Dolphin Foundation we are collecting a bibliography on dolphins and whales in the areas of brain structure, communication and behavior. The Foundation is also proposing research to start breaking the communication barrier between man and the dolphin. The research is to be conducted at sea with no confinement of the dolphins.

John C. Lilly, M.D., a Trustee of the Human/Dolphin Foundation, is doing research on communication with dolphins using minicomputers. He is the author of the book *Lilly on Dolphins: Humans of the Sea*.

## BOOKS

MR. CHAIRMAN: EVIDENCE OF CONSPIRACY... BY R.B. CUTLER; THE AUTHOR, BOX 1465, MANCHESTER, MA 01944; MARCH 1979, 95 PAGES (INCL. INDEX), \$7.00 PPD.

Is anybody listening? If you're keeping score, this here is Cutler's eighth self-published book, and his sixth demolition of the official conspiracy and coverup. This one takes an early look at the HSCA's acoustical data and, more importantly, it focuses on some of the most salient features of the Committee's "case".

As you all certainly know by now, Blakey and the HSCA have dragged out the fleabitten old Single-Bullet Theory for yet another tour of duty. The problem is this: the HSCA's flightpaths cannot be made to line up with the wounds that were received without first resorting to ridiculous distortions of reality and contortions of bodies beyond all reason. Cutler continues to excel in his field, and we unhesitatingly recommend this, his latest book.

TWICE DEAD BY LARRY D. NAMES; NEW YORK: LEISURE BOOKS, 1978, 203 PAGES, \$1.75.

THE CARLOS CONFESSIONS BY MARTIN A. CRAVEN; NEW YORK: MANOR BOOKS, 1978, 302 PAGES, \$2.25.

22 FIRES BY JEROME AGEL AND EUGENE BOE; NEW YORK: BANTAM BOOKS, 1977, 240 PAGES, \$1.95.

We don't mind saying this is a pretty miserable lot. Novels based on the JFK assassination are a dime a dozen, or they should be, and there's not much to recommend these pulps, sorry to say.

The first two feature much the same gang of Seymour/Santana-type villains under various names. Twice Dead revolves around the "second Oswald" thesis and a dogged reporter's uncovering of the limited conspiracy. The Carlos Confessions is pretty trashy, frankly, and the picture of Carlos on the cover looks a whole lot like Clint Eastwood! The author has promised me a better effort next time around.

22 Fires at least offers a new and provocative thesis, however absurd: that the Twisted Loner, in a misogynistic pique after a tiff with the wife, was really aiming at the President's Charming Wife, but, as the scope sights were out of adjustment, the Fateful Rifle shot high and to the right... the "Horrible Accident" Theory.

## OTHER NEW BOOKS

THE LIFE AND DEATH OF ANNA MAE AQUASH BY JOHANNA BRAND; TORONTO: JAMES LORIMER & CO., 1978. A microstudy of the war between the F.B.I. and A.I.M.

THE HOFFA WARS: TEAMSTERS, REBELS, POLITICIANS AND THE MOB BY DAN E. MOLDEA; NEW YORK: PADDINGTON PRESS, 1978. Review copy not received at press time.

THE SEARCH FOR THE MANCHURIAN CANDIDATE: THE CIA AND MIND CONTROL BY JOHN MARKS; NEW YORK: TIMES BOOKS, 1978. Review copy not received by press time.

26 VOLUMES ON MICROFILM - The Warren Commission Report & 26 volumes of testimony and exhibits are now available in microform at the incredible bargain price of \$135 complete. Volumes 1-15 contain witness testimony - 8122 pages, plus an alphabetical subject index. Volumes 16-26 contain 10,107 pages of exhibits. Vol. 27 is the 912 page Report. Your choice of 35mm microfilm or 105 X 148mm microfiche. Good deal. Microfilming Corporation of America, a New York Times Company, 1620 Hawkins Avenue/P.O. Box 10, Sanford, NC 27330. 919/775-3451.

KENNEDY COLLECTORS - We have books, tapes, and other items relating to the JFK assassination. Send for free list. M & A Bookdealers, P.O. Box 1962, Waco, Texas 76703.

RFK MANUSCRIPT - Copies of The Tangled Web: An Inquiry Into the Assassination of Senator Robert F. Kennedy by Duncan Harp are available for \$15.00 each from Research, P.O. Box 1107, Aptos, CA 95003. Include some extra postage and 25 cents for the extensive RESEARCH list of books if you do not have one.

THE TAKING OF AMERICA 1-2-3 by Richard E. Sprague should soon be available again in an expanded and corrected version, Sprague writes. There is a new chapter. The price has not yet been set, but it should be considerably cheaper than the original version, new printing method being the reason.

LOOK FOR A GALLERY MAGAZINE SYMPOSIUM on the HSCA and assassinations in the July issue of Gallery, due out at the end of May.

\* \* \* \* \*

Jazz luminary SUN RA and San Francisco's unrecorded DEAD KENNEDYS shared the November 22, 1978 bill at S.F.'s fabulous MABUHAY GARDENS, according to a recent issue of New York Rocker magazine.....

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